

**United States District Court
For The
District of North Dakota**

Petition for Action on Conditions of Pretrial Release

United States of America)
vs.) Docket No.: 0868 1:19CR00211-1
Amber Emilia Ruiz)

COMES NOW, SHYLAH LEONARD, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant, Amber Emilia Ruiz who was placed under pretrial release supervision by the Honorable Clare R. Hochhalter, Magistrate Judge, sitting in the Court at Bismarck, on November 18, 2019, under the following conditions:

1. The defendant must not violate federal, state, tribal, or local law while on release.
2. The defendant must advise the Office of Probation and Pretrial Services and defense counsel in writing before making any change in address or telephone number.
3. The defendant must appear in court as required and must surrender to serve any sentence imposed.
4. The defendant must sign an Appearance Bond, if ordered.

IT WAS FURTHER ORDERED that the release of the defendant be subject to the conditions set forth below:

5. Defendant shall report to the Pretrial Services Officer at such times and in such manner as designated by the Officer.
6. The defendant shall refrain from: any use of alcohol; any use or possession of a narcotic drug and other controlled substances defined 21 USC 802 or state statute, unless prescribed by a licensed medical practitioner; and any use of inhalants. Defendant shall submit to drug/alcohol screening at the direction of the Pretrial Services Officer to verify compliance. Failure or refusal to submit to testing or tampering with the collection process or specimen may be considered the same as a positive test result.
7. Defendant shall not possess a firearm, destructive device, or other dangerous weapon.
8. Defendant shall not knowingly or intentionally have any direct or indirect contact with

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Co-defendants except that counsel for the defendant, or counsel's agent or authorized representative, may have such contact with such person(s) as is necessary in the furtherance of the defendant's legal defense.

9. Defendant shall undergo a substance abuse and/or mental health evaluation if required by the Pretrial Services Officer and comply with resulting counseling or treatment recommendations.
10. Defendant shall submit his/her person, residence, vehicle, and/or possessions to a search conducted by a Pretrial Services Officer at the request of the Pretrial Services Officer. Failure to submit to a search may be grounds for revocation of pretrial release. Defendant shall notify any other residents that the premises may be subject to searches pursuant to this condition.
11. Within 24 hours of her release, defendant shall contact Pretrial Services Officer Shylah Leonard at (701) 297-7246.
12. Defendant shall maintain or actively seek employment. Employment must be approved by the Pretrial Services Officer.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

1. **Violation of Condition #6:** The Defendant submitted urine samples on 11/22/2019, 12/13/2019 and 1/16/2020. which tested positive for Oxycodone. The Defendant submitted a urine sample on 5/13/2020 which tested positive for norfentanyl. The Defendant failed to submit to testing on 2/10/2020.

PRAYING THAT THE COURT WILL ORDER: A warrant to be issued for the arrest of Amber Ruiz and a hearing be held to determine if she violated the conditions of her Pretrial Release.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully,

/s/ Shylah Leonard
U.S. Pretrial Services Officer
Place: Minot

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ORDER OF THE COURT

Considered and ordered this 21st day of May, 2020, and ordered filed and made a part of the record in the above case.



Clare R. Hochhalter
U.S. Magistrate Judge